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ABSTRACT

This paper sets forth the position of the Michigan State Board of Education regarding bilingual instruction. First is a summary of policies already established as a result of the adoption of "The Common Goals of Michigan Education," the rulings of the U.S. Supreme Court as enunciated in Lau vs Nichols, federal legislation (ESEA Title VII, 1965 and Civil Rights Act, 1964) and state law (Public Act 294, 1974). The second part is a position statement containing seven guides for action which should fully implement Act 294 and encourage bilingual education to become an integral part of a program of quality education. It attempts to achieve a balance between the traditional American educational institution's assimilationist view and the right of individuals and groups to maintain their particular identities within a pluralistic society. (Author/NCR)

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Bilingual Instruction in Michigan

a position statement by The State Board of Education

Michigan Department of Education
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U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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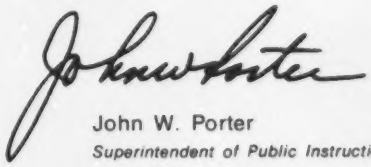
Foreword

Bilingual education was mandated in Michigan by the Legislature through Act 294, Public Acts of 1974, the Bilingual Education Act. This law seeks to provide an equal educational opportunity for those students who come from a home or environment where linguistic skills different from English are used as a primary means of communication.

In response to the legislative mandate for bilingual education, the State Board of Education reaffirms the policies already established by the Board and by other governmental bodies. The State Board of Education expresses the importance of bilingual education in the following two excerpts from this position statement:

> First, every effort needs to be expended to implement fully the current provisions of Act 294 to ensure that no child's success in public school is unduly inhibited because he or she is a child of limited English-speaking ability.
>
> Second, every effort needs to be expended to ensure that all children are provided opportunities to gain an understanding of their own cultures as well as the cultures of others.

Accordingly, the State Board of Education sets forth seven guides for action in the area of bilingual instruction. Bilingual Education, as an integral part of the Michigan educational program, can help to ensure that all children are prepared for meaningful, diverse lifestyles in the future.



John W. Porter
Superintendent of Public Instruction

Introduction

The purpose of this paper is to set forth the position of the Michigan State Board of Education regarding bilingual instruction. This position is based on, and consistent with, four prior policy actions taken by the State Board and other governmental bodies: (1) The adoption of *The Common Goals of Michigan Education* by the State Board in 1971; (2) the rulings of the United States Supreme Court as enunciated in *Lau v. Nichols;* (3) federal legislation as set forth in *Title VII of the Elementary & Secondary Education Act of 1965* and the *Civil Rights Act of 1964;* and (4) state law as established in *Act 294 of the Public Acts of 1974.*

A summary of the policies already established as a result of these four actions is presented in the first part of this paper. In the second and final part of the paper, the current position of the State Board of Education regarding bilingual instruction is set forth.

Policies Already Established

The Common Goals of Michigan Education

In 1971, after an eighteen-month process involving hundreds of Michigan citizens, the State Board of Education adopted a statement of the *Common Goals of Michigan Education*. In this listing of twenty-two common goals, bilingual instruction was dealt with directly in Goal 2, under *Democracy and Equal Opportunity*, which states:

> Goal 2 — Education of the Non-English Speaking Person
>
> Michigan education must recognize and respect the need for special academic and administrative measures in schools serving students whose native tongue is one other than English. These students should be encouraged and assisted to develop their skills in their native language while they are acquiring proficiency in English. For example, the methodologies of foreign language instruction might be used to enable these students to gain the required fluency. Where there is a substantial population of non-English speaking students, bilingual programs should be provided in order that the students may develop their bilingual skills and enhance their educational experience rather than be forced into the position of a disadvantaged student. Such programs should extend to the provision of instructional techniques which facilitate a student's educational development regardless of his out-of-school experience with non-standard English.

The need to provide multicultural learning experiences was established under two other goals. The first of these was Goal 2, under *Citizenship and Morality*, which deals with *Citizenship and Social Responsibility*, which states:

> Michigan education must assure the development of mature and responsible citizens, with the full sense of social awareness and moral and ethical values needed in a heterogeneous society. It must encourage critical but constructive thinking and responsible involvement, with consideration for the rights of all, in the resolution of the problems of our society. It must create within the school system an atmosphere of social justice, responsibility, and equality which will enable students to carry a positive and constructive attitude about human differences and similarities into their working or community relationships in later life. The schools should provide various learning experiences involving students from different racial, religious, economic, and ethnic groups; accordingly, Michigan education should move toward integrated schools which provide an optimum environment for quality education.

Additionally, under *Student Learning*, Goal 8 deals with *Social Skills & Understanding* and states, in part, that:

> Michigan Education must provide for each individual an understanding of the value systems, cultures, customs, and histories of his own heritage as well as of others.

The first statement quoted above from the *Common Goals* clearly establishes the State Board's concern for and desire that Michigan's public schools provide programs for non-English-speaking students which will enable them to acquire fluency in English and thus enhance their chances for success in school. The statement also calls for the development of these programs in ways that will not lead to a diminution of skills in the students' native language. The second and third statements quoted from the *Common Goals* call for the provision of educational experiences which respect the multicultural and pluralistic composition of American society.

Lau v. Nichols

The case of *Lau v. Nichols* was a class suit which charged the San Francisco Unified School District with failure to provide all non-English-speaking students with special instruction to equalize their educational opportunity. This suit was instituted by non-English-speaking Chinese students against the San Francisco School District; the suit alleged that, out of 2,856 Chinese-American students, only 1,000 were being given additional courses in English, even though they all needed special help. The plaintiffs contended that their rights had been abridged under the U.S. Constitution, the California Constitution, Title VI of the Civil Rights Act of 1964, and provisions of the California Education Code.

The District Court denied relief and the case was appealed. The U.S. Supreme Court agreed to hear the appeal because of the public importance of the question presented.

The Supreme Court considered San Francisco's views that the State of California held English to be the basic language of instruction and that bilingual education was authorized only as long as it would not interfere with systematic, sequential, and regular instruction in English. The Court decided that service and treatment in education are not equal merely because all students are provided with the same facilities, books, teachers, and curriculum. Students who do not understand English are, by intent or oversight, effectively "foreclosed" from a meaningful education. The court further concluded that no law can impose, or presuppose, that all children who enter an English dominant school will indeed have already acquired these skills. The Supreme Court ruled that there had been a denial of educational opportunity under Title VI of the Civil Rights Act of 1964 and directed that a remedy be fashioned.

Federal Legislation

Title VII of ESEA

The Elementary and Secondary Education Act (ESEA) of 1965, as amended, provides under Title VII educational services specifically for bilingual education. It stresses the importance of conserving the nation's language resources and advancing the education of all students, regardless of their language. Since 1969, when the program began, Title VII has funded demonstration bilingual education projects throughout the country for non-English speaking students of various backgrounds.

Several Title VII, ESEA Bilingual Education projects have been funded in the State of Michigan. These projects operate under federal guidelines and are located in the cities of Grand Rapids, Saginaw, Pontiac, Detroit, Dearborn, Muskegon, and Lansing.

The following definitions are contained in the Title VII federal guidelines for bilingual education:

> . . . Program of bilingual education or bilingual education program means a program of instruction, designed for children of limited English-speaking ability in elementary and secondary schools, in which with respect to the years of study to which such program is applicable (1) there is instruction given in, and study of, English and (2) (to the extent necessary to allow a child to progress effectively through the educational system) the native language of the children of limited English-speaking ability; (3) such instruction is given with appreciation for the cultural heritage of such children.
>
> (1) A program of bilingual education may make provision for the voluntary enrollment to a limited degree therein, on a regular basis, of children whose language is English, in order that they may acquire an understanding of the cultural heritage of the children of limited English-speaking ability for whom the particular program of bilingual education is designed.

The Civil Rights Act of 1964

Under the provisions of the Civil Rights Act of 1964, state educational agencies are eligible for grants to establish centers to provide technical assistance in the area of bilingual education to local school districts. The State Board of Education applied unsuccessfully for such a grant for 1975-76. However, the Department of Education received a grant of $154,939 for 1976-77 and $254,416 for 1977-78.

Act 294 of the Public Acts of 1974

In October of 1974, the Michigan Legislature enacted Act 294 which requires any school district enrolling 20 or more students of a given language category and with limited English-speaking ability to establish a program of bilingual instruction. Sections 395 and 396 of the Act specify the responsibilities of the State Board of Education and the Michigan Department of Education in the implementation of bilingual instruction programs.

Among its responsibilities, the State Board is required to:

(1) " . . . develop and administer a program of in-service training for bilingual instruction programs" and " . . . promulgate rules governing the conduct of and participation in the in-service training programs." Sec. 395(1)

(2) " . . . promulgate rules governing the indorsement of teachers as qualified bilingual instructors in the public schools of this state" and require that "the teacher . . . shall be proficient in both the oral and written skills of the language for which he is indorsed." Sec. 395(2)

(3) " . . . approve an examination or testing mechanism suitable for evaluating the proficiency in English language skills of a child of limited English-speaking ability." Sec. 395(3)

Additionally, the Michigan Department of Education is required to:

(1) "Advise and assist school districts in complying with and implementing sections 390 to 396."

(2) "Study, review, and evaluate textbooks and instructional materials, resources, and media for use in bilingual instructional programs."

(3) "Compile data relative to the theory and practice of bilingual instruction and pedagogy."

(4) "Encourage experimentation and innovation in bilingual education."

(5) "Recommend in-service training programs, curriculum development, and testing mechanisms to the State Board of Education." Sec. 396(a)-(e).

Bilingual Instruction as Defined in Act 294

Act 294 offers specific definitions of the terms "bilingual instruction" and "children of limited English-speaking ability." In Section 390 (a), "bilingual instruction" is defined as:

> . . . the use of two languages, one of which is English, as media of instruction for speaking, reading, writing, or comprehension.

The section goes on to note that:

> "Bilingual instruction" may include instruction in the history and culture of the country, territory, or geographic area associated with the language spoken by children of limited English-speaking ability who are enrolled in the program and in the history and culture of the United States.

The Act defines "children of limited English-speaking ability" as:

> . . . children who have or reasonably may be expected to have difficulty performing ordinary classwork in English because their native tongue is a language other than English or because they come from a home or environment where the primary language used is a language other than English.

The Current Position of the State Board

The State Board fully supports Act 294 and has been working — and will continue to work — to see that the Act is fully implemented. The mandate is explicit — any public school district enrolling twenty or more students in a given language classification who demonstrate limited English-speaking ability must provide a program of bilingual instruction. The law — both constitutional and statutory — demands that.

Our position, as a State Board of Education, is that our efforts in bilingual education should be directed primarily in two ways. First, every effort needs to be expended to implement fully the current provisions of Act 294 to ensure that no child's success in public school is unduly inhibited because he or she is a child of limited English-speaking ability. Second, every effort needs to be expended to ensure that all children are provided opportunities to gain an understanding of their own cultures as well as the cultures of others.

According to Act 294, the purpose and intent of bilingual education is to provide a means of instruction specifically suited to meet the educational needs of students with a language background other than English. The state Board recognizes that bilingual education can also be a valuable means of providing instruction for any student who wishes to develop or preserve fluency in more than one language and knowledge of more than one culture.

It is important to note that such an interpretation of bilingual education in no way implies or intends that bilingual education is to become the mandatory method of instructing each and every child in the public schools. Furthermore, it is neither the intention nor a goal of bilingual education to lead to the establishment of a nation with official dual languages or dual cultures. The State Board recognizes that the United States is a multilingual, multicultural nation whose common language is English. Bilingual education enhances and promotes the opportunity of children to participate fully in the educational system by providing instruction which respects and utilizes the particular language and cultural backgrounds of the individual students.

Accordingly, in addition to reiterating its commitment to carry forward activities designed to fully implement the *Common Goals of Michigan Education*, the mandates of the U.S. Constitution, and the law of the State of Michigan, the State Board sets forth the following as guides for action in the area of bilingual instruction:

1: STUDENTS RECEIVING BILINGUAL INSTRUCTION SHOULD BE ENCOURAGED AND ASSISTED TO DEVELOP SKILLS IN THEIR NATIVE LANGUAGE WHILE THEY ARE ACQUIRING PROFICIENCY IN ENGLISH.

A bilingual instruction program recognizes the value of knowing two languages and being able to function in two or more cultures, and provides a structure for accomplishing this goal.

2: STUDENTS RECEIVING BILINGUAL INSTRUCTION SHOULD ACHIEVE AT A RATE COMMENSURATE WITH THEIR OWN AGE, ABILITY, AND GRADE LEVEL IN ALL SCHOOL SUBJECT AREAS.

A bilingual instruction program recognizes each student's ability to learn, and provides for instruction in the language and learning mode that is best understood by the student. Thus, bilingual instruction attempts to maximize a child's learning potential and actual achievement. Academic credit must be given for academic work accomplished in a bilingual instruction program. Where grades are assigned in any given subject, the teacher who has major responsibilities for that subject should assign the grades.

3: STUDENTS RECEIVING BILINGUAL INSTRUCTION SHOULD DEMONSTRATE GROWTH IN SELF-ESTEEM.

A bilingual instruction program is premised on the belief that every student needs to feel proud of him/herself, his/her family, and his/her racial or ethnic background. Bilingual instruction proposes that bilingualism and multiculturalism are assets, and that these components should be integrated into the regular school curriculum. It provides an opportunity for all students in a school to appreciate the cultural diversity of their own community.

4: STUDENTS RECEIVING BILINGUAL INSTRUCTION SHOULD BE PROVIDED WITH A COORDINATED AND INTEGRATED LEARNING ENVIRONMENT THROUGH EFFECTIVE ARTICULATION WITH THE GENERAL SCHOOL PROGRAM.

A bilingual instruction program must be an integral part of the total school curriculum, instead of being an isolated or peripheral component. Bilingual education provides an opportunity for all students to appreciate the cultural diversity of their own

community. Because the limited English-speaking student will spend a significant portion of his/her school experience in the general school program, it is essential that all school staff members (building principal, classroom teachers, counselors, school social workers) show evidence of a commitment to the philosophy of bilingual education through involvement in the planning, implementation, and evaluation of the program.

5: ALL TEACHERS AND STAFF MEMBERS OF SCHOOLS OFFERING BILINGUAL EDUCATION SHOULD BE INVOLVED IN A COMPREHENSIVE INSERVICE TRAINING PROGRAM.

A bilingual instruction program seeks to ensure, through an inservice training program, that each person who plays a role in the development of the student (including building principal, bilingual teachers and aides, regular classroom teachers) will have the knowledge and skills to enhance the student's success in school.

To achieve this end, a district offering bilingual instruction should: (1) develop a local inservice plan for the entire school faculty in the education of limited-English-speaking students, and (2) provide opportunities for bilingual teachers, aides, and coordinators to participate in local and statewide workshops and other training sessions.

The local inservice plan should include a preservice orientation for new bilingual staff members, on-going inservice for aides and other para-professionals, and inservice opportunities for all teachers who work with children whose skill in speaking English is limited. If team teaching is proposed, the inservice plan should describe how the teacher participants will receive appropriate training in the use of this technique.

6: PARENTS AND OTHER COMMUNITY MEMBERS SHOULD BE INVOLVED IN THE PLANNING, IMPLEMENTATION, AND EVALUATION OF BILINGUAL INSTRUCTION PROGRAMS.

It has been demonstrated that parents will support those programs which they have helped to plan, implement, and evaluate. In a bilingual instruction program, parents are recognized as excellent resource persons with positive contributions to make in the development of educational programs which are needed by their own children.

As set forth in Section 394 of P.A. 294 (1974), a local advisory committee is required; such a committee should participate in:

(1) developing and implementing the bilingual instruction proposal;

(2) identifying and recommending candidates for bilingual staff positions;
(3) evaluating programs;
(4) establishing procedures through which parents' complaints and criticisms can receive prompt consideration;
(5) promoting bilingual instruction in the community;
(6) mobilizing community resources in support of bilingual instruction.

In addition to the participation of selected parents on the advisory group, opportunity should be provided for all parents to become involved in a bilingual program in two distinct ways: (1) as aides or resource persons in the classroom, and (2) as observers in the classroom.

7: AT THE BEGINNING OF EVERY SCHOOL YEAR, LOCAL SCHOOL DISTRICTS SHOULD SUBMIT TO THE MICHIGAN DEPARTMENT OF EDUCATION A REPORT DESCRIBING THE LOCAL DISTRICT'S PLANS FOR IMPLEMENTATION OF PUBLIC ACT 294, 1974, CONSISTENT WITH GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION.

These seven general guides in action for bilingual instruction can serve as further elaboration and refinement of the goals described in *The Common Goals of Michigan Education* and as guides to a full implementation of Act 294. Bilingual instruction should become much more than a supplementary program. It should become an integral part of a program of quality education. It should offer an opportunity to achieve a balance between the assimilationist posture traditionally assumed in American public educational institutions and the right of individuals and groups to maintain and enhance their particular identities within a pluralistic society.

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MICHIGAN STATE BOARD OF EDUCATION

STATEMENT OF ASSURANCE OF COMPLIANCE WITH FEDERAL LAW

The Michigan State Board of Education hereby agrees that it will comply with Federal laws prohibiting discrimination and with all requirements imposed by or pursuant to regulations of the U.S. Department of Health, Education and Welfare. Therefore, it shall be the policy of the Michigan State Board of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, or marital status shall be discriminated against, excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any federally funded program or activity for which the Michigan State Board of Education is responsible or for which it receives federal financial assistance from the Department of Health, Education and Welfare. This policy of non-discrimination shall also apply to otherwise qualified handicapped individuals.